



CANNON BUILDING
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DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF HOME INSPECTORS
DATE AND TIME:	Wednesday, June 24, 2013 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, DE Cannon Building, Second-Floor Conference Room A
APPROVED:	July 10, 2013

MEMBERS PRESENT

Donald S. Pyle, Sr., Professional Member, Chair
Dennis Theoharis, Public Member, Vice Chair
Daniel C. Eichelberger, Professional Member
Tim Harriger, Professional Member
Joyce Edwards, Public Member

MEMBERS ABSENT

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Jennifer Singh, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
Kay Warren, Deputy Director (entered at 9:35 a.m.)

PUBLIC PRESENT

Mark Valencik

CALL TO ORDER

Mr. Pyle called the meeting to order at 9:30 a.m.

PUBLIC HEARING, RULES AND REGULATIONS - 9:30 A.M.

BOARD PRESENT: Donald S. Pyle, Sr., Dennis Theoharis, Daniel C. Eichelberger,
Tim Harriger, and Joyce Edwards

PUBLIC PRESENT: Mark Valencik

PURPOSE:

Pursuant to 24 Del.C. §4106(a)(1), the Delaware Board of Home Inspectors had proposed adoption of rules and regulations to implement its licensing law, Chapter 41 of Title 24 of the Delaware Code. In particular, the proposed rules and regulations set forth the process whereby applicants may qualify for licensure under the grandfather provision. Standards for continuing education would be adopted. The rules and regulations set forth a code of ethics and standards of practice for licensees. The Board had also proposed adoption of a list of crimes substantially related to the practice of home inspection.

PRESIDING: Donald S. Pyle, Sr., Professional Member, Chair

DIVISION STAFF: Amanda McAtee, Administrative Specialist II

BOARD COUNSEL: Eileen Kelly, Deputy Attorney General
Jennifer Singh, Deputy Attorney General

COURT REPORTER: Vera Sitze, Wilcox and Fetzer

The hearing began at 9:30 a.m. Ms. Kelly stated that the purpose of the hearing was to receive public comment regarding the Board's proposed Rules and Regulations. Ms. Kelly advised that the notification of the public hearing was published in the Register of Regulations on June 1, 2013 and two newspapers on June 3, 2013. Ms. Kelly marked the News Journal affidavit of publication as Board exhibit one and the State News affidavit of publication as Board exhibit two.

Ms. Kelly confirmed that no public comment had been received by the Board office. There was one member of the public member present at the time of the hearing, Mark Valencik, but he did not comment on the proposed Rules and Regulations. With there being no comment, Ms. Kelly thanked the court reporter and advised the Board that the public would have an additional fifteen days after this hearing date to make comments. The Board would deliberate on any public comments received at its next Board meeting on July 10, 2013.

The hearing adjourned at 9:33 a.m.

REVIEW AND APPROVAL OF MEETING MINUTES

The Board reviewed the meeting minutes from the May 8, 2013 meeting. Mr. Theoharis made a motion, seconded by Mr. Harriger, to approve the minutes. The motion carried unanimously.

UNFINISHED BUSINESS

Update on Statutory Issues

Mr. Pyle stated that from the Senate Committee the Bill was sent to the Senate floor for vote and was passed. The Bill then went to the Economic, Banking, Insurance, and Commerce Committee in the House. The Bill exited the committee and was waiting for House vote.

Ms. Warren stated that the Bill was on the House ready list and the last session was June 30, 2013.

Review of Applications

Ms. McAtee presented the Board with the proposed applications and the Board reviewed them.

Mr. Pyle stated that the arrangement of a notarized certificate of Liability, Errors and Omissions insurance would create an obstacle. If the Board requested the certificate to be sent directly from the insurance carrier than having it notarized would be excessive. Ms. McAtee stated that she took that wording from the Board's proposed Rules and Regulations. Ms. Kelly stated that according to the APA 1011 (3) (a) (4) that she could make that change in the Rules and Regulations after they were finalized because it was not a substantial change. Ms. McAtee stated that she would remove it from the application.

The Board made the following changes to the applications:

Grandfather Provision Application

- Under the “Home Inspection Experience” section make the section clear that only one option needed to be selected
- Remove “notarized” from the certificate of insurance statement
- Questions 14 and 16 still had the word “appraiser” change to “home inspector”
- Change “six months’ to “twelve months” under abandoned application statement
- Give applicants the option of submitting their own spreadsheet to document 250 home inspections

Experience Log

- Do not need a supervisor’s name if filling out for the grandfather provision, requested to make this clearer.
- Remove “hours” column, this would not apply
- Insert an “inspection number” column so that the inspections were numbered

Temporary Inspection Permit Application

- On number 8 remove “property owner” and replace with “buyer/client”
- Change “six months’ to “twelve months” under abandoned application statement
- Question 15 still had the word “appraiser” change to “home inspector”

Trainee Application

- Change “six months’ to “twelve months” under abandoned application statement
- Question 17 still had the word “appraiser” change to “home inspector”

Endorsement Application

- Remove “notarized” from the certificate of insurance statement
- Change “six months’ to “twelve months” under abandoned application statement
- Question 15 still had the word “appraiser” change to “home inspector”

Examination Application

- On the instruction sheet change “you have registered as a Delaware Home Inspector Trainee and completed 250 supervised home inspections after registration” to “you have completed 250 supervised home inspections”
- Change “official high school transcript” to “submit copy of your high school diploma or transcript” submitting official copies would be burdensome, Mr. Eichelberger stated that he called his high school and was informed that it would take several months to get an official transcript sent to the Division. The Board also discussed the fact that schools were letting out for the summer would create issues. The Board decided that a copy of the diploma or transcript would be sufficient since the actual home inspecting training and experience was more important.
- Change “six months’ to “twelve months” under abandoned application statement
- Questions 16 and 18 still had the word “appraiser” change to “home inspector”

Mr. Eichelberger stated that National Home Inspector Examination score results would not be automatically sent to the Board office. Ms. McAtee stated that she would contact the testing company to determine if an examinee could request their results or confirmation of their scores be sent to the Board office. Ms. McAtee stated that she would find out if the State of Delaware had to contract with the company or if it was something that individual applicants could request.

After discussing the applications, Mr. Theoharis made a motion, seconded by Ms. Edwards, to accept the applications with the discussed revisions pending final review either via email or at the July 10, 2013 meeting. The motion carried unanimously.

Ms. McAtee stated that she would meet with Susan Miccio and have the changes made. She would be in touch with Mr. Pyle since it was important to make the changes and have the applications available on the internet as soon as possible so that potential applicants could begin completing the applications in advance of the August 6, 2013.

Ms. McAtee stated that the FAQ section of the Board's Division website would need to be created. The Board stated that they would think about the FAQ section. Ms. McAtee stated that Ms. Miccio may create some of the FAQ regarding the application process.

Ms. McAtee questioned the Board about public outreach. Mr. Pyle stated that the Division should send communications to the State ASHI chapters and all three counties with the realtors associations. Ms. McAtee stated that she would compose a letter, bring it to the next Board meeting, and that the Board could discuss this topic more at the July meeting.

NEW BUSINESS -- None

OTHER BUSINESS BEFORE THE BOARD (for discussion only) – None

PUBLIC COMMENT – None

NEXT MEETING

The next Board meeting will be at **9:30 a.m. on Monday, July 10, 2013 in Conference Room B** located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business to discuss, Mr. Theoharis made a motion, seconded by Ms. Edwards, to adjourn the meeting at 11:55 a.m. The motion carried unanimously.

Respectfully Submitted,



Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.